

Draft

PERMIT

Permit No: 200903136-KF

Municipality: Darien

Work Area: Long Island Sound off property located at 6 Pratt Island

Permittee: Wynne Shapiro
6 Pratt Island
Darien, CT 06820

Pursuant to sections 22a-359 through 22a-363f and sections 22a-28 through 22a-35 of the Connecticut General Statutes ("CGS") and in accordance with CGS section 22a-98 and the Connecticut Water Quality Standards dated December 2002, a permit is hereby granted by the Commissioner of Environmental Protection ("Commissioner") to retain a stone seawall and stone rip rap for flood and erosion control as is more specifically described below in the SCOPE OF AUTHORIZATION, in Long Island Sound off property identified as the "work area" above. The work area is an area of tidal wetlands.

*******NOTICE TO PERMITTEES AND CONTRACTORS*******

FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS PERMIT MAY SUBJECT THE PERMITTEE AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING PENALTIES AND INJUNCTIONS, AS PROVIDED BY LAW.

SCOPE OF AUTHORIZATION

The Permittee is hereby authorized to conduct the following work as described in application #200903136-KF including 4 sheets of plans dated July 8, 2009, submitted by the Permittee to the Commissioner and attached hereto, as follows:

1. retain an existing stone seawall and stone rip rap.

UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE PERMITTEE ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS PERMIT.

SPECIAL TERMS AND CONDITIONS

1. The Permittee shall maintain all structures or other work authorized herein in good condition. Any such maintenance shall be conducted in accordance with applicable law including, but not limited to, CGS sections 22a-28 through 22a-35 and CGS sections 22a-359 through 22a-363f.
2. The Permittee may not conduct work waterward of the high tide line or in tidal wetlands at this

permit site other than the work authorized herein, unless otherwise authorized by the Commissioner pursuant to CGS section 22a-359 et. seq. and/or CGS section 22a-32 et. seq.

GENERAL TERMS AND CONDITIONS

1. All work authorized by this Permit has been completed.
2. In conducting the work authorized herein, the Permittee shall not deviate from the attached plans, as may be modified by this permit. The Permittee shall not make de minimis changes from said plans without prior written approval of the Commissioner.
3. Any document required to be submitted to the Commissioner under this permit or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section
Office of Long Island Sound Programs
Department of Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
(860) 424-3034
Fax # (860) 424-4054

4. The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this permit means calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
5. The work specified in the SCOPE OF AUTHORIZATION is authorized solely for the purpose set out in this permit. No change in the purpose or use of the authorized work or facilities as set forth in this permit may occur without the prior written authorization of the Commissioner. The Permittee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this permit, request authorization from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
6. This permit may be revoked, suspended, or modified in accordance with applicable law.
7. This permit is not transferable without prior written authorization of the Commissioner. A request to transfer a permit shall be submitted in writing and shall describe the proposed transfer and the reason

for such transfer. The Permittee's obligations under this permit shall not be affected by the passage of title to the work area to any other person or municipality until such time as a transfer is authorized by the Commissioner.

8. The Permittee shall allow any representative of the Commissioner to inspect the work authorized herein at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
9. In granting this permit, the Commissioner has relied on representations of the Permittee, including information and data provided in support of the Permittee's application. Neither the Permittee's representations nor the issuance of this permit shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
10. In the event that the Permittee becomes aware that he did not or may not comply, or did not or may not comply on time, with any provision of this permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.
11. In evaluating the application for this permit the Commissioner has relied on information and data provided by the Permittee and on the Permittee's representations concerning site conditions, design specifications and the proposed work authorized herein, including but not limited to representations concerning the commercial, public or private nature of the work or structures authorized herein, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, this permit may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
12. The issuance of this permit does not relieve the Permittee of his obligations to obtain any other approvals required by applicable federal, state and local law.
13. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed by the Permittee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."
14. This permit is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive

privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

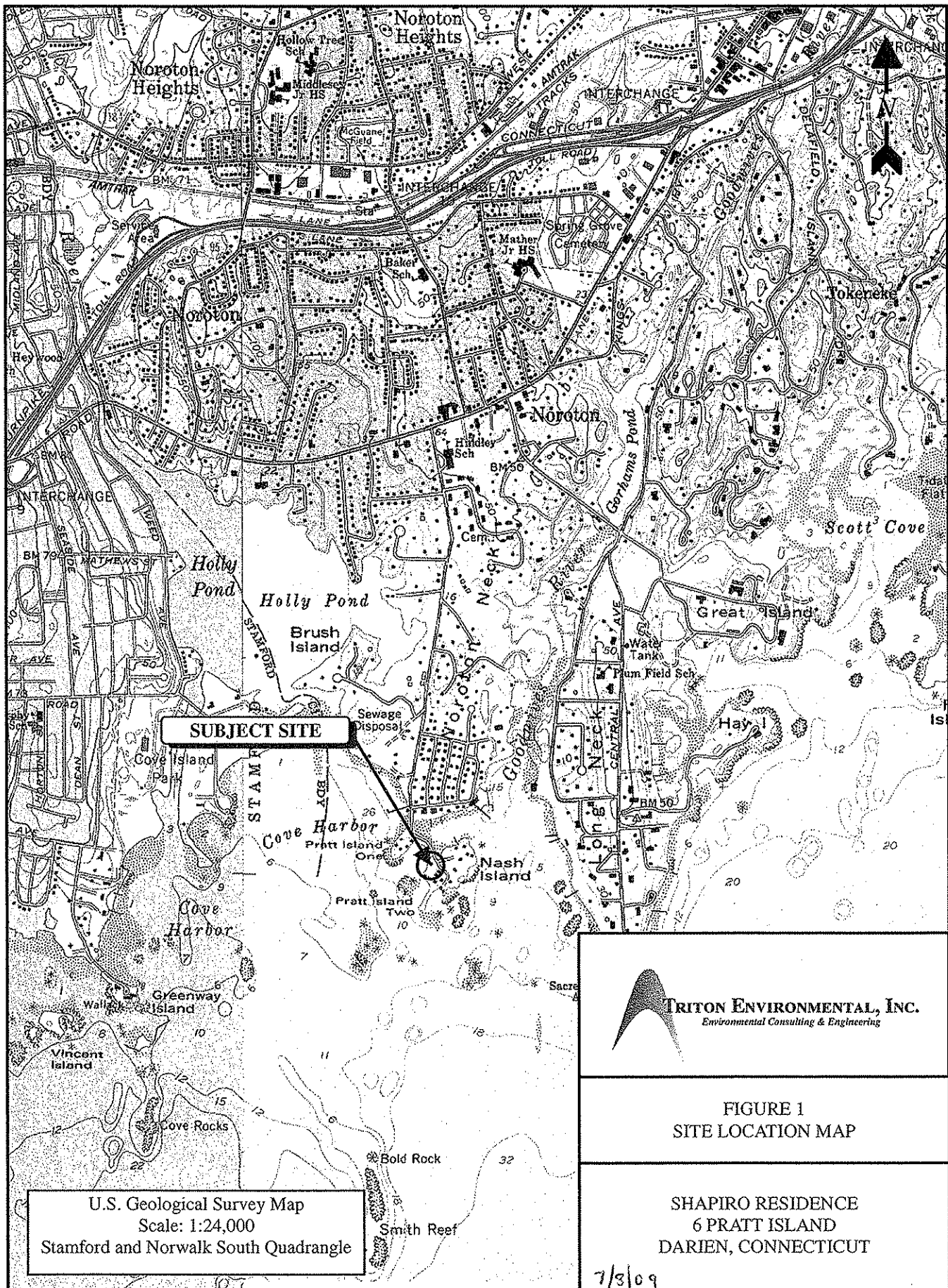
Issued on _____, 2009

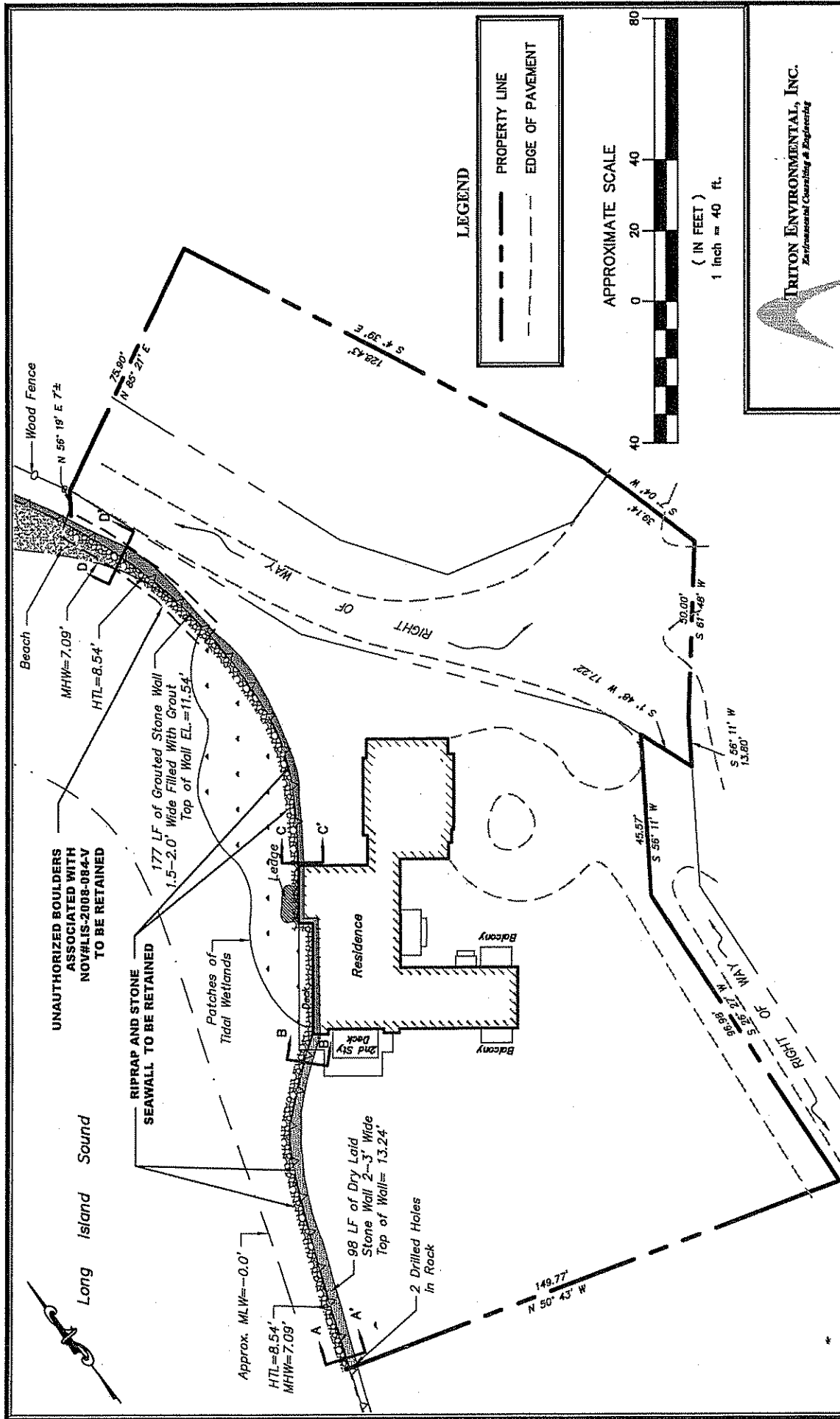
STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Betsey Wingfield
Bureau Chief
Bureau of Water Protection and Land Reuse

Permit Application No. 200903163-KF
Wynne Shapiro

Certified Mail # _____





NOTES:

1. THIS DRAWING SHOULD ONLY BE USED PERMITTING PURPOSES AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
2. MAP IS BASED ON AN A-2 SURVEY AS DEPICTED ON "MAP PREPARED FOR ROBERT J. SHAPIRO AND WYNNE SHAPIRO DARIEN, CONN." DATE: MAY 7, 1992. SCALE: 1"=40' BY WILLIAM W. SEYMOUR-LAND SURVEYORS.
3. ALL ELEVATIONS BASED ON MLW (MSL=MLW -3.54').
4. SEAWALL CONSTRUCTED IN EARLY 1950'S
5. ACCORDING TO PROPERTY OWNER, AND TRITON'S RESEARCH OF THE DARIEN LAND RECORDS, THERE HAVE BEEN NO CHANGES TO THE SHORELINE OR PROPERTY SINCE THE SURVEY.
6. COASTAL FEATURES AND MEASUREMENTS ARE BASED ON AERIAL PHOTOGRAPHS AND FIELD MEASUREMENTS BY TRITON ON 6/3/09
7. THE INFORMATION PRESENTED ON THIS PLAN IS BELIEVED TO BE ADEQUATE FOR THE INTENDED PURPOSE OF RETAINING SHORELINE PROTECTION STRUCTURES.



TRITON ENVIRONMENTAL, INC.
Environmental Consulting & Engineering

363 Church Street, Suite 201 • Guilford, Connecticut 06437 • 203.464.7200

FIGURE 3

EXISTING AND PROPOSED CONDITIONS

STRUCTURE DREDGE AND FILL APPLICATION

SHAPIRO RESIDENCE

6 PRATT ISLAND

DARIEN, CONNECTICUT

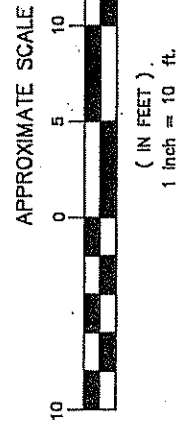
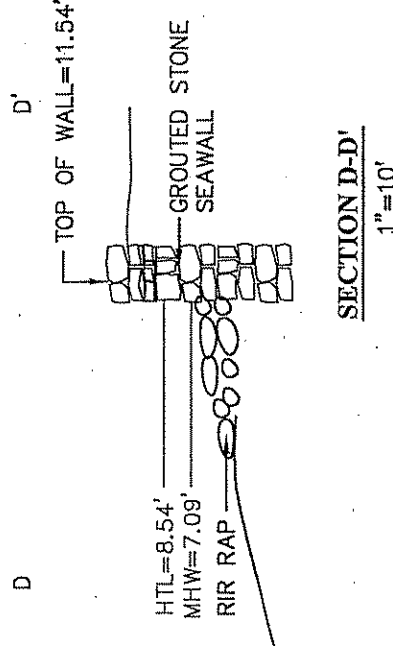
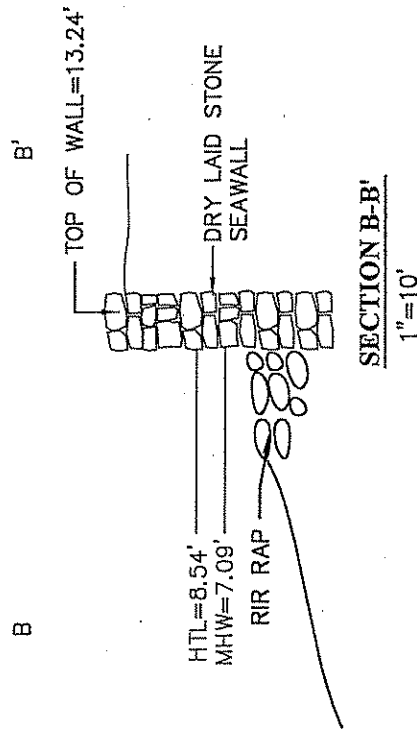
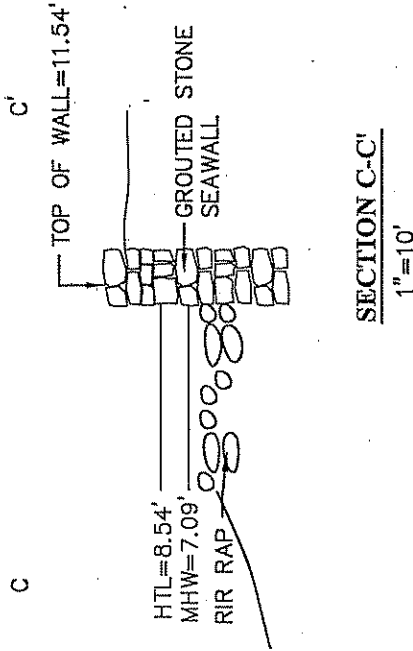
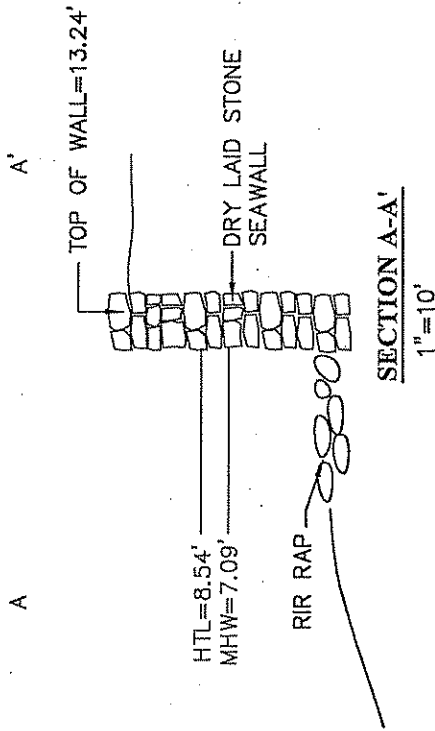
DRAWN BY: MFG

DATE: 7/8/09


SCALE: 1"=40'

APPROVED BY: WCG

FILE No.: 103465SP



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 2. ALL ELEVATIONS BASED ON MLW (MSL=MLW -3.54).

 TRITON ENVIRONMENTAL, INC. <i>Environmental Consulting & Engineering</i>		385 Church Street, Suite 201 • Guilford, Connecticut 06437 • 203.468.7200	
FIGURE 4			
CROSS SECTIONS		STRUCTURE DREDGE AND FILL APPLICATION	
SHAPIRO RESIDENCE		6 PRAIRIE ISLAND	
DARIEN, CONNECTICUT		APPROVED BY: WCG	
DRAWN BY: MFG		DATE: 7/8/09	SCALE: 1"=10'
		FILE No.: 10346SSP	